

April 22, 2013

An Executive Session meeting of the Town Council of the Town of Newton was held on the above date at 8:56 p.m. Present were Mr. Elvidge, Deputy Mayor Ricciardo, Mr. Flynn, Mayor Diglio and Mr. Thomas S. Russo, Jr., Town Manager. Also present were Debra Millikin, Deputy Town Manager, Jim Prusinowski, Esq. and Ursula H. Leo, Esq. Mrs. Becker was excused.

Mayor Diglio made the following declaration that "in accordance with the Open Public Meetings Act, notice of this Special meeting was given to the two newspapers of record and posted on the official bulletin board on April 17, 2013."

The following Resolution was read which authorized the Town Council to enter into Executive Session.

**RESOLUTION #68-2013**

**A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

**WHEREAS**, the Town Council of the Town of Newton is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specific purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Town Council of the Town of Newton to discuss in a session not open to the public certain matters relating to the item authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Contract Negotiations
- (2) Potential Litigation

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Newton, assembled in public session on April 22, 2013, that an Executive Session closed to the public shall be held on April 22, 2013, at 8:56 PM in the Town of Newton Municipal Building, 39 Trinity Street, Newton, NJ, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Town Council that the public interest will no longer be served by such confidentiality.

The aforementioned **RESOLUTION** was offered by Deputy Mayor Ricciardo, seconded by Mr. Flynn and roll call resulted as follows:

Mrs. Becker	Absent	Mr. Elvidge	Yes
Deputy Mayor Ricciardo	Yes	Mr. Flynn	Yes
Mayor Diglio		Yes	

**CONTRACT NEGOTIATIONS**

Mr. Prusinowski, Esq., Labor Attorney outlined the memorandum of agreement for

April 22, 2013

the CWA Local 1032, effective January 1, 2013 through December 31, 2015.

After a lengthy discussion, Council unanimously agreed to the memorandum of agreement for CWA Local 1032, as proposed by legal counsel, and will approve same in open session.

**POTENTIAL LITIGATION**

Ursula Leo, Esq. outlined the memo dated April 22, 2013, regarding the issues with the Newton EarthCam Wireless Camera System.

After a brief discussion, Council unanimously agreed to the proposed negotiations as set forth by the Town Attorney.

Mrs. Leo outlined the issue regarding the Limousine ordinance. Mrs. Leo made recommendations to amend the current ordinance for clarification purposes.

After a brief discussion, Council agreed to the proposed recommendations as set forth.

There being no further business to be conducted in Executive Session, upon motion of Deputy Mayor Ricciardo, seconded by Mr. Flynn and unanimously carried, Council left Executive Session at 9:44 p.m.

Respectfully submitted,



Lorraine A. Read, RMC  
Municipal Clerk